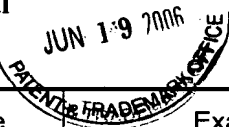


A. J. [Signature]

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES (Small Entity)**

Docket No.
25514-B USA

In Re Application Of: **Lauter et al**



Application No. 10/670,854	Filing Date Sept. 24, 2003	Examiner C. Phillips	Customer No. 23307	Group Art Unit 3751	Confirmation No. 9754
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Invention: **COMBINATION SPA AND ENTERTAINMENT SYSTEM**

COMMISSIONER FOR PATENTS:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated **December 16, 2005** finally rejecting Claim(s) **1-3**.

Applicant is a small entity under 37 CFR 1.9 and 1.27.

☒ Applicant claims small entity status. See 37 CFR 1.27

The fee for this Notice of Appeal is: **\$250.00**

☐ A check in the amount of the fee is enclosed.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.

☐ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No.

☒ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Signature

Dated: **June 16, 2006**

**Charles H. Lindrooth, Reg. No. 20,659
Synnestvedt & Lechner LLP
1101 Market Street, Suite 2600
Philadelphia, PA 19107-2950**

**Telephone: 215-923-4466
Facsimile: 215-923-2189**

cc:

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on June 16, 2006 (Date) Signature of Person Mailing Correspondence Dawn M. Larsen Typed or Printed Name of Person Mailing Correspondence

P13SMALL/REV09